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UNITED STATES OF AMERICA
11

12 UNITED STATES DISTRICT COURT
13 FOR THE CENTRAL DISTRICT OF CALIFORNIA
14 WESTERN DIVISION

15 UNITED STATES OF AMERICA,
16 Plaintiff,
17 v.
18 ONE ANCIENT MOSAIC,
19 Defendant.

20
21 MOHAMAD YASSIN ALCHARIHI,
22 Claimant.

No. 2:18-CV-04420-JFW (SSx)

DECLARATION OF SPECIAL AGENT
ELIZABETH RIVAS IN SUPPORT OF
THE GOVERNMENT'S STATUS
REPORT RE STAY

[UNDER SEAL]

DECLARATION OF SPECIAL AGENT ELIZABETH RIVAS

I, Elizabeth Rivas, declare as follows:

1. I am a Special Agent (“SA”) for the Federal Bureau of Investigation (“FBI”) and have served in that capacity for more than twenty two years. I am currently assigned to the FBI Los Angeles Office, Organized Crime Squad. I am also a member of the Art Crime Team of the FBI. On the Art Crime Team, my current responsibilities involve the investigation of art theft, art fraud, and other criminal violations related to the theft of cultural artifacts and antiquities. I have attended classes and courses conducted by the FBI and other agencies regarding art and antiquities theft and smuggling. As a result of my training and experience, I am familiar with how individuals involved in the theft of art and antiquities operate and the patterns generally utilized by these individuals. I have become well-versed in the methodology utilized by individuals involved in the trafficking of stolen art and other stolen property.

2. On May 23, 2018, Plaintiff United States of America (the “government”) filed a civil forfeiture action against the defendant One Ancient Mosaic (the “defendant mosaic”), alleging that the defendant mosaic is subject to forfeiture pursuant to 19 U.S.C. § 1595a(c)(1)(A). Thereafter, Claimant Mohamad Yassin Alcharihi (the “Claimant” or “Alcharihi”), filed a claim to the defendant mosaic and an answer to the complaint.

3. Alcharihi and others are currently being investigated for violations in the ongoing criminal investigation. The criminal investigation and the instant forfeiture proceedings arise out of the same general facts and will involve many of the same issues of fact and law.

4. The ongoing criminal investigation has been unique and time-consuming for a number of reasons. It has been extremely time consuming to review the voluminous data obtained from eleven digital devices and four email accounts associated with the Claimant and others that were searched pursuant to federal warrants. Many of the records were in a foreign language and therefore needed to be translated. Agents are

1 continuing to review and organize the voluminous evidence in the ongoing criminal
2 investigation.

3 5. In addition to reviewing voluminous amounts of digital evidence, agents
4 also conducted additional investigation to identify and locate the individuals that
5 Claimant was communicating with both in the United States and abroad. Agents
6 conducted interviews of multiple witnesses in the U.S. Agents submitted a request for
7 authorities in another country to locate and interview a close associate of Alcharihi who
8 was involved in the purchase of the defendant mosaic. Because the associate resides in a
9 foreign country, this interview request must be processed through the foreign country's
10 authorities. This process typically takes several months and is outside the control of the
11 case agents. Agents requested an update on the status of request for interview and are
12 awaiting a response from the Foreign Service.

13 6. Also, due to the unique nature of the defendant mosaic, it has been difficult
14 to identify experienced and qualified experts to evaluate the defendant mosaic. Agents
15 have made progress in this area and met with an expert and appraiser. Agents also
16 identified a conservator and a geologist who recently examined the defendant mosaic
17 and took multiple samples of the mosaic for scientific testing. The geologist and
18 conservator recently completed their reports and provided them to the government. A
19 meeting with the various experts is being arranged to complete the final evaluation of the
20 defendant mosaic. It is hopeful that the meeting will be completed within the next 60
21 days.

22 7. The government is evaluating potential criminal charges against Claimant
23 and is hopeful that it will be in a position to make a charging decision after the experts
24 have completed their testing and reports and the interview of the associate of Alcharihi
25 has taken place.

26 8. Civil discovery and the filing of a motion for summary judgment will most
27 likely adversely affect the ability for the government to conduct the related criminal
28 investigation because it will subject the government's criminal investigation to early civil

1 discovery before an indictment is obtained and a criminal trial takes place.

2 9. In order for the government to present its evidence in support of a motion
3 for summary judgment, the government would be required to submit testimonial
4 declarations from law enforcement and other government witnesses, whose testimony
5 are central to the ongoing criminal investigation, creating risks of jeopardizing the
6 criminal investigation.

7 10. As noted in the civil forfeiture complaint, a number of witnesses and an
8 expert were not identified by name to protect their identities while the criminal
9 investigation is ongoing. The government has also not requested the unsealing of the
10 affidavit in support of the federal search and seizure warrant to protect the identities of
11 witnesses and other sensitive information contained in the affidavit before an indictment
12 is obtained and arrests are made. Disclosure of the government's witnesses in the civil
13 matter may also cause Claimant or others to intimidate the witnesses before they could
14 testify in the criminal proceedings.

15 I declare under penalty of perjury under the laws of the United States of America
16 that the foregoing is true and correct and that this declaration is executed in Los Angeles,
17 California, on June 14, 2019.



ELIZABETH RIVAS
Special Agent
Federal Bureau of Investigation